## CRIMINAL DOCKET UNITED STATES DISTRICT COURT

THE UNITED STATES

Vs.

Donald R. Rains and Gerald
B. Foster

Bryan W. Tabor (Foster)
Rucker Bldg.
Tulsa, Oklahoma 74129
Roehm A. West (Rains)
4th Nati'l Bk. Bldg.
Tulsa Ola. 74119

For Defendant:

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 4-30-70	Clerk		1 ' 1	O Foster	694 59 130 00	
J.S. 3 mailed 6-30-70 Rums	Marshal	1	11-72	Foster St.Louis &	564 59	
Violation Theft from interstate shipment Title 18	Docket fee			San Francis	co 1	,389 18
Sec. 659						

DATE	PROCEEDINGS
<del>4-30-70</del> <del>4-30-70</del>	Indictment, filed in open court. m Record vote of the Grand Jury, filed in open court. m
5-5-70 5-5-70 5-5-70 5-5-70 5-13-70	Appearance Bond for Rains, filed. js Appearance Bond for Foster, filed. js Order of Release. filed. js Order of Release. fild. js Defts. both present and represented. Each deft. advised of charge, each previously furnished copy of indictment, both waive reading, both arraigned and deft. Rains enters a plea of NOT GUILTY. Deft. Foster enters a plea of NOT GUILTY. Defts' counsel given 10 days to file motions and case to be set for jury trial. Both defts. to remain on present bonds. Deft. Foster requests permission to serve at Camp Polk in La. for 2 weeks in the Army Reserve and request granted.(LB-J)
6-10-70	Case set for change of plea as to defendant Rains on Tues. 6-16-70 at 10:00am (AEB-J
6-16-70	Defendant Donald R. Rains, present in person and represented. Defendant withdraws plea of Not Guiltyu and enters plea of GUILTY, and is adjudged GUILTY as charged. Defendant waives jury, waiver signed, approved and

filed in open court. Case set for sentence on Tues. 7-7-70 at 10:00 A.M. (AEB-J)h

DATE	PROCEEDINGS
6-23-70	Defendant Donald R. Rains present in person and represented.
	Judgment and Sentence- Donald R. Rains (21)
	Probation for a period of 5 years from this
	date, pursuant to YCA, T. 18 USCA 5010(a). And two of the conditions of probation
	are that the defendant pay half of the cost of the stolen Vehicle within a period
	of 3 years, and that the defendant does not drive a car or vehicle for a period
	of 6 months, (AEB-J)h
6-23-70	Order of Probation filed and entered as to defendant Rains. (AEB-J)h
6-23-70	Two c, c. of above order delivered to Prob. Office, h
9-9-70	Letter filed stating total net loss of vehicle in amount of \$2,083.76,
	from St. Louis-San Francisco RR Co. h
10-7-70	Case set for jury trial Monday 10-26-70 at 9:30 a.m. (AEB-J)m(as to deft. Gerald B. Foster
LO-21-70	Defendant present in person and represented. Defendant withdraws his
di ana canan dalam di Aus.	plea of Not Guilty and enters plea o f GUILTY, and is adjudged GUILTY
	as charged. Defendant waives jury, waiver signed and filed in open
11 12 20	court. Sentence passed to Tues. Nov. 17, 1970 at 10:00 A.M. (AEB-J)h
11-17-70	Defendant Gerald B. Foster present in person and represented.
	Judgment and Sentence-Gerald B. Foster (Age 21)  It is adjudged that the imposition of sentence is
	hereby suspended and that the defendant is placed on probation for a period
	of Five (5) years from this date, pursuant to the Federal Youth Correction
	Act, Title 18, U.S.C.A. 5010(a); and one of the special conditions of pro-
	bations is that the defendant make restitution in the amount of \$694.59.
** ***	to be paid within a period of 3 years. (AEB-J)h
11=17-70	Order of Probation filed and entered as to defendant Gerald B. Foster. (AEB-J
11-17-70	Two c.c. of above delivered to Prob. Officer.(AEB-J)h
10-12-71	Certificate of Vacation of Conviction, filed. (AEB-J)r
10-12-71 1-3-71	Order of Discharge from Probation, filed. (AEB-J)r
1-3-71	Certificate of Vacation of Conviction, filed. (AEB-J)v of Gerald B. Foster Order of Discharge From Probation, filed. (AEB-J)v of Gerald B. Foster
J (	Order of Discharge From Probation, filed. (AEB-J)v of Gerald B. Foster

A.O.	100
(Rev.	1-59)

#### UNITED STATES COMMISSIONER

Northern	DISTRICT	OF	Oklahoma
	English E and E and E	A	

### RECORD OF PROCEEDINGS IN CRIMINAL CASES

BIFORE Jac	ck C. Silver	4 <u>]</u> U.	S. Courthouse, Tulsa, Okla.
Commission  Docket No. 1 Commission  THE UNITED vs.  Gerald B. Fo	Case No. 121 STATES	Official title Special United States Code, Tit 19.70., at Tulsa, division of the Northe as follows: with int steal, take & carring terminal location chattels of value 1970. Plymouth Fury	1. Agent, FBI , charging violation of the 12 , Section 659 , on Apr. 7, Okla. in the charged of the convert to his own use y away from a Frisco RR unloaded 1631 W. 33rd Pl., Tulsa, in excess of \$100.00 that is a II. VIN PK41UOD231808.
Warrants or Summo	L 1070 Warrant	Summons forGeraldB	Foster (Name of defendant)
to (name and title of	f officer). U.S.M	larshal or any author	ized Officer:
Substance of re	turn		FILED
	***	/0	
Date	Warrant/	Summons for	173127(Name of defendant)
			17322 87(Name of defendant)
****			M. M. EWING, CLERK
PROCEEDINGS ON FIRS	T PRESENTATION OF A	Accused to Commissioner:	M. M. EWING, CLERK U. S. DISTRICT COURT On warrant of Jack C. Silver
Data Area Oli	Dotpom A montad	hy Pohort m Pohicon	On Warrant of GACA O. SLIVET
Date_Apr_24,	Igig Arrested	FBI	on warrant of Jack C. Silver  (Name of issuing officer)  without warrant.
Appearances	for accused	(Name)	(Address)
	(Here insert with dates,	1970, the accused i when appropriate, a seriatim account of e	n person and not represented by ssential steps taken at hearing such as "complaint prepared,"
Counsel. Advis	ed as to his a	cights to counsel, an	d the accused waives counsel
if arrest is without warr	ant: "defendant informed o	f complaint and right to retain counsel a	and preliminary hearing": "preliminary examination waived,"
		L. Accused is advised	of the charge and to the right
if that is the fact; any		a the accused waives	preliminary hearing, Bond
MANULLER DAGE	IJ. GAGMARGARY	is Mic accuracy was a ver	2 Julius Saraha dalah dalah dalah dalah 15 Julius Barang Colonia dalah dalah 15 Julius Barang
is set in the	amount of \$2,	500.00(unsecured). Or	der of Release issued. On
April 29, 1970	the accused a	appears before me and	l requested that a atty be
100			& Order Appointing Counsel.
Duna W/	abor alter fa	- the accurat	. Held for court action.
Bail fixed Apri	.1. 24, 19.74	0 Amount, \$ 2,500.00 Bo	nded April 24, , 1970, by cash
deposited by (name)		Address	***************************************
transmitted to clerk	of district court	A 77	, 19 [or] by surety
(name)		Address	who
(name)		Address	d to, who
	, 19	, 10, [OI] Committe	u to

Subpoenas for Witnesses Issui			`			
t regular of (name of nexts)						
at request of (name of party) Substance of return						
Substance of Teturin						
, 19	for (name					
at request of (name of party)						
Substance of return						
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, 19	, for (name	of witness	)	<b></b>	*************************	
at request of (name of party)			. H v 19 19 19 19 14 14 14 14 14 16 16 16 16 16 16 16 16 16 16 16 16 16	** ** ** ** ** ** ** ** ** ** ** ** **	THE PERSON AND AND AND AND AND AND AND AND AND AN	
Substance of return			****		****	
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PRELIMINARY EXAMINATION:			United States		***************************************	
(Not to be used if case was disposed	of at first presen	itation)	,	(Address)		
Date	Anneara	inces for	Accused	·		
	P P			(Address)	# # # # # # # # # # # # # # # # # # #	***************************************
WITNESSES FOR UNITED STATES:	(List name)	s and addresses)	WITNESS	ES FOR ACCUSED:	(Ilst names and ad-	fresses)
					******************	
				*		
Witness payroll containing.	nan	nes certified	to United State	es Marshal for pay	ment	19
Proceedings taken On A	pril 24,	1970 th	e_accused_i	mived Prelim	inary Examir	<u>latior</u>
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OutcomeBail fixed						
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transmitted to clerk of district						
[or] by surety (names)						
and						
who justified by affidavit						
on, 19			Volumitudo	, W	2 TB C 予 C P P R M T C P C P C P C P P P P P P P P P P P P	10 TO
Certified to be a correct transcr						
Made this 24th day o		oril	10 70	)		
Transmitted to Clerk of II	nited States	District C	ourt for the	Northern		
Transmitted to Clerk of U. district of Oklahoma	mind Noover	1 22 23 22 23 CE L	Apr:	11 24, to	_70	
	n ag ap an ag an an an an an an ag ag an ag 22 po po ag 30 abray.	4-17-14-14-14-14-14-14-14-14-14-14-14-14-14-			# #	
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			Complement of the Complement o	The second secon	United States Con	nmissioner.

# 70-CR-86

### UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

### RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Jack C	C. Silver	U.S. Cou	rthouse, Tulsa, Okla.
	(Name of commissioner)		(Address)
Commissioner	's 121	Complaint filed on Apr. 24	Robert T. Robison  Tent, FB by  Robert T. Robison  Sent, FB by  Robert T. Robison  Sent, FB by  Charging Violation of Charging Viola
DOCKET NO. 1 CASE THE UNITED ST.		Umited States Code Will	18 65 Charging violation of
VS.	AINS	10 70 at Tulsa, Okl	, Section , on
۷ <b>ن</b>	The second secon	division of the Northern	district of Oklahoma
Don R. Rains		as follows: With Intent	to convert to his own use
		steal, take & carry a	way from a Frisco RR unload
		mig returnar rocared	TOUT M. DOLG LI. INTOMA
		1070 Plamouth Even II	excess of \$100.00 that is a
Warrants or Summons I Date Apr. 24, 13	270Warrant/Su	mmons for Don R. Rains	ry of facts constituting offense charged)
to (name and title of offi-	cer) any U. S.	Marshal or any author	ized Officer (Name of defendant)
Substance of return			312
Date	Warrant/Su	mmons for	MAY 2 2 1970
to (name and title of office	cer)		(Name of defendant)  M. M. EWING, CLERK  U.S. DISTRICE COURT
Substance of return			M. M. EWING, CLERK
~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~			U. S. DISTRICT COURT
PROCEEDINGS ON FIRST PRO	ESENTATION OF ACC	USED TO COMMISSIONER:	Jack C. Silver
Date Apr. 24.	1970 Arrested by	Robert T. Robison FBI	on warrant of Jack C. Silver  (Name of issuing officer)  without warrant.
for	United States		
Ammonmon			rson and not (Adeparesented by
Proceedings taken Ol	n April 24, 1	970, the amccused in pe	erson and not Adeparesented by
Counsel. Advised	Here insert with dates, whe	a appropriate, a seriatim account of essential ghts to counsel, and t	steps taken at hearing such as "complaint prepared".  "The accused waives counses."
if arrest is without warrant: 'and signed Waive	defendant informed of correct of Counsel.	nplaint and right to retain counsel and prelication of advised of	iminary hearing": "preliminary examination waived," the charge and to the right
if that is the fact, any adjourn	iments taken, etc.	de the on whi-	oreliminary hearing. Bond
is set in the amo	ount of 2,500	.00 (unsecured). Order	of Release Issued. On
April 27, 1970, 8	a letter of R	oehm A. West, adviseir	ng me he will represent the
accused.			
Outcome		970 the accused held furt.	
Bail fixed 4-24	19 <sup>70</sup> A	mount \$ 2,500.00 Bonded	4-2 <b>5</b> -70 , 19, by cash
deposited by (name)	*	Address	
transmitted to clerk of di	strict court		
(name)	***************************************	Address	
(name)	1	Address	, who
on	I	, 19, [or] committed to	, WIII
~, £0			

SUBPOENAS FOR WITNESSES ISSUED:  19 for (name of witness)	
at request of (name of party)	
at request of (name of party)	
at request of (name of party)	
(Not to be used if case was disposed of at first presentation)	ited States (Name) (Address)  cused (Name) (Address)
WITNESSES FOR UNITED STATES: (List names and addresses)	WITNESSES FOR ACCUSED: (List names and addresses)
Witness payroll containingnames certified to	United States Marshal for payment, 19
Outcome, 19 Amount, \$deposited by (name)	
[or] by surety (names) and who justified by affidavit , 19	Address
Certified to be a correct transcript.  Made this Clith day of April	, 19 70. t for the Northern